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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/781,326	02/13/2001	Toyoaki Furusawa	1081.1109/JDH	9068
21171	7590	09/08/2006	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			HARRELL, ROBERT B	
			ART UNIT	PAPER NUMBER
			2142	

DATE MAILED: 09/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No.	Applicant(s)	
	09/781,326	FURUSAWA ET AL.	
	Examiner	Art Unit	
	Robert B. Harrell	2142	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Paul Bobowiec (Reg. No. 47431). (3) ____.
- (2) Robert B. Harrell. (4) ____.

Date of Interview: 06 September 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: N/A.

Claim(s) discussed: 1 and 5-13.

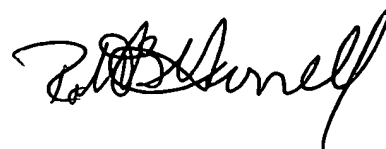
Identification of prior art discussed: Li (USA 6,799,214).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


ROBERT B. HARRELL
PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy


If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Discussed possible incorporation of "Global Positioning System" within all independent claims as supported on page 26 (line 24) of this application and that Li taught proposed frequency threshold amendments (i.e., claim 5 (last two lines)) in col. 12 (line 44). Also, computer readable medium was proposed as computer readable storage medium in the computer program product claims.

No agreement was reached until examiner saw the finally proposed modified amendments, as covered above, and further search in conjunction with LI and GPS.

Also apart of this Interview Summary was the proposed claim amendments faxed to the Office as unofficial and not entered.


ROBERT B. HARRELL
PRIMARY EXAMINER
Art Unit 2142

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FACSIMILE TRANSMISSION
September 5, 2006

TO : USPTO

ATTN: EXAMINER Harrell

FAX NO.: (571)-273-3895

TELEPHONE:

FROM: Paul Bobowiec (202)454-1572

RE: INTERVIEW REQUEST AND PROPOSED CLAIM AMENDMENTS

Application Number: 09/781,326

OUR DOCKET: 1081.1109

NO. OF PAGES (Including this Cover Sheet) 6

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The information contained in this communication is confidential, may be attorney-client privileged, and is intended only for the use of the addressee(s). Unauthorized use, disclosure or copying is strictly prohibited. If there are any problems with this transmission, please contact us immediately.

COMMENTS: We telephoned your office the week of August 28, 2006 to request a telephone interview but have not yet received a reply. Attached is an interview request form and draft claim amendments for discussion.

Thank you,

Paul W. Bobowiec

APPLICANT INITIATED INTERVIEW REQUEST FORM

Application No.: 09/781,326
Examiner: Robert B. Harrell
Status of Application: Active

First Named Applicant: Toyoaki Furusawa
Art Unit: 2142

Tentative Participants:

(1) Paul W. Bobowiec (2) _____
(3) _____ (4) _____

Date of Interview: 6 September
Time: Open

Type of Interview Requested:

(1) ☒ Telephonic or (2) ☐ Personal preferred (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description:

ISSUES TO BE DISCUSSED

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discuss ed	Agreed	Not Agreed
(1) <u>Rejection</u>	<u>1-14</u>	<u>LI (US 6,679,921)</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

Request interview to discuss proposed amendments.

An interview was conducted on the above-identified application on

NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01). This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Paul W. Bobowiec

(Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

DRAFT AMENDED CLAIMS FOR DISCUSSION

1. (CURRENTLY AMENDED) A distribution system connected to clients through communication circuits, comprising:

a parent server and child servers, wherein:

the parent server comprises:

a receiving unit receiving an area identification representing a current geographical position of one of the clients and identification information of contents, distribution of which is requested by the one of the clients, and

a selecting unit selecting one of the child servers that holds the contents, distribution of which is requested, and which child server is closest to the one of the clients that originates the distribution request, using the received area identification and identification information, and notifying the one of the clients that originates the distribution request of logical position information of the selected one of the child servers, and

each child server comprises:

a distributing unit distributing the contents, distribution of which is requested by the one of the clients,

wherein the selecting unit automatically reselects one of the child servers upon the current geographical position of the one of the clients changing.

5. (CURRENTLY AMENDED) A distribution system connected to clients through communication circuits, comprising:

a parent server and child servers, wherein:

the parent server comprises:

an ascertaining unit ascertaining a frequency of distribution requests for contents from one of the clients situated in an area for which the one of the child servers is responsible; and

each child server comprises:

an acquiring unit acquiring and copying from the parent server the contents that are not held by the one of the child servers ~~on a basis of~~ upon the frequency of distribution requests being greater than a pre-set threshold value.

6. (CURRENTLY AMENDED) The distribution system according to claim 5, wherein the child server further comprises:

an ascertaining unit ascertaining the frequency of distribution requests for the contents from the one of the clients situated in the area for which the one of the child servers is responsible; and

DRAFT AMENDED CLAIMS FOR DISCUSSION

a deleting unit deleting from the one of the child servers the contents, which are held by the one of the child servers, ~~on the basis of~~ upon the ascertained frequency of distribution requests frequency being less than a previously set threshold value.

7. (CURRENTLY AMENDED) The distribution system according to claim 5, wherein the child server further comprises:

a deleting unit deleting from the one of the child servers the contents which are held by the one of the child servers ~~on the basis of~~ upon the ascertained frequency of distribution requests frequency being less than a previously set threshold value.

8. (CURRENTLY AMENDED) A computer program product incorporated on a computer-readable medium for storing computer readable program code embodied therein that operates on a parent server in a distribution system having the parent server and a plurality of child servers and connected with a plurality of clients through communication circuits, so that contents held by the parent server and/or the child servers are distributed to the clients, the operations of the computer program product comprising:

selecting one of the child servers that holds the contents, distribution of which is requested and that is closest to one of the clients that made the distribution request on a basis of an area identification representing a current geographical position of the one of the clients that makes the distribution request for the contents and identification information of the contents, the distribution of which is requested by the one of the clients; and

communicating logical position information of the selected one of the child servers to the one of the clients that makes the distribution request; and

automatically reselecting one of the child servers upon the current geographical position of the one of the clients changing.

9. (CURRENTLY AMENDED) A computer program product incorporated on a computer-readable medium for storing computer readable program code embodied therein that operates on a parent server in a distribution system having the parent server and a plurality of child servers, and connected with a plurality of clients through communication circuits, so that the contents held by the parent server and/or the child servers are distributed to the clients, the operations of the computer program product comprising:

ascertaining a frequency of distribution requests of contents from clients situated within an area for which one of the child servers is responsible; and

giving the one of the child servers notification to prompt copying from the parent server of

DRAFT AMENDED CLAIMS FOR DISCUSSION

the contents that are not held by the child server upon the ascertained frequency of distribution requests being greater than a pre-set threshold value, or deleting from the one of the child servers the contents that are held by the one of the child servers ~~on a basis of~~ upon the ascertained frequency of distribution requests being less than a previously set threshold value.

10. (CURRENTLY AMENDED) A computer program product incorporated on a computer-readable medium for storing computer readable program code embodied therein that operates on a child server in a distribution system having a parent server and a plurality of child servers and connected with a plurality of clients through communication circuits, so that the contents held by the parent server and/or the child servers are distributed to the clients, the operations of the computer program product comprising:

a program code copying to one of the child servers from the parent server the contents that are not held by the one of the child servers upon a frequency of distribution requests being greater than a pre-set threshold value, or deleting from the child server the contents that are held by the one of the child servers, ~~on a basis of~~ upon a frequency of distribution requests for the contents from the clients situated in an area for which one of the child servers is responsible being less than a previously set threshold value.

11. (CURRENTLY AMENDED) A method of distributing contents to clients in a distribution system including a parent server and a plurality of child servers and connected with the plurality of clients through communication circuits, comprising:

receiving identification information by the parent server of the contents, distribution of which is requested and an area identification representing a current geographical position of one of the clients that makes the request for the distribution of the contents;

selecting by the parent server, on a basis of the received area identification of the one of the clients and contents identification information, one of the child servers which has the contents that is requested for distribution and that is closest to the one of the clients that makes the request for distribution, and notifying the one of the clients that makes the request for distribution of logical position information of the selected one of the child servers; and

distributing the contents, distribution of which is requested by the selected one of the child servers, in response to the request of the one of the clients; and

automatically reselecting one of the child servers upon the current geographical position of the one of the clients changing.

12. (CURRENTLY AMENDED) A method of distributing contents to clients in a

DRAFT AMENDED CLAIMS FOR DISCUSSION

distribution system including a parent server and a plurality of child servers and connected with the plurality of clients through communication circuits, comprising:

ascertaining a frequency of distribution requests, in respect of contents from clients situated in an area for which one of the child servers is responsible;

copying contents which are not held on the one of the child servers from the parent server to the one of the child servers upon a frequency of distribution requests being greater than a pre-set threshold value, or deleting from the child server the contents that are held by the one of the child servers, ~~on a basis of~~ upon a frequency of distribution requests for the contents from the clients situated in an area for which one of the child servers is responsible being less than a previously set threshold value, or deleting the contents from the one of the child servers ~~upon, on a basis of the~~ a frequency of distribution requests responsible being less than a previously set threshold value; and

performing the distribution from the one of the child server servers in response to the distribution request for the contents held by the one of the child servers from the clients situated in the area for which the one of the child server servers is responsible.

13. (CURRENTLY AMENDED) A distribution system connected to a plurality of clients through communication circuits, comprising:

a parent server and child servers, wherein:

the clients communicate to the parent server an area identification representing a current geographical position of one of the clients and identification information of contents, distribution of which is requested by the one of the clients,

the parent server selects, on a basis of the area identification of the one of the clients and the contents identification information that is communicated thereto, one of the child servers that holds the contents, distribution of which is requested and that is closest to the one of the clients that originates the distribution request, ~~and communicates logical position information of the selected one of the child servers to the one of the clients originating the distribution request,~~ and automatically reselects one of the child servers upon the current geographical position of the one of the clients changing; and

the one of the clients that originates the distribution request receives the contents, distribution of which is requested from the selected one of the child servers, on the basis of the logical position information of the selected one of the child servers.